

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

WANDA COOPER, in her individual capacity
and as administratrix of the Estate of the
decedent Ahmaud Arbery,

Plaintiff,

v.

TRAVIS MCMICHAEL, et al.,

Defendants.

CIVIL ACTION NO.: 2:21-cv-20

ORDER

This matter is before the Court on several Defendants’ Motions to Stay. Docs. 68, 69, 70, 73, 74, 77. The moving Defendants argue these proceedings should be stayed pending the resolution of various motions to dismiss and resolution of criminal charges against some of these Defendants. Plaintiff filed a combined Response to these Motions, agreeing a stay would be appropriate. Doc. 85. For the following reasons, the Court **STAYS** the proceedings in this case pending the outcome of the criminal proceedings involving certain Defendants.

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition . . . of its docket with economy of time and effort for itself, for counsel, and for litigants.” Landis v. N. Am. Co., 299 U.S. 248, 254 (1936). Staying a civil action until an overlapping criminal proceeding has ended is “within the power of the district court, and in accord with common practice.” Wallace v. Kato, 549 U.S. 384, 393–94 (2007).

In this matter, several Defendants are facing pending state and federal criminal charges. Plaintiff acknowledges these proceedings “overlap factually with this matter.” Doc. 85 at 1.

Given the complications that would arise from navigating discovery while also being cognizant of Defendants' Fifth Amendment rights against self-incrimination, the most efficient use of this Court's and the parties' resources would be to stay the proceedings in this case until the resolution of those criminal matters. Furthermore, no party has stated any opposition to a stay of these proceedings.

Accordingly, the Court **STAYS** the proceedings in this case, and this stay will remain in place until the resolution of state and federal criminal proceedings involving certain Defendants. However, any party may file a motion asking the Court to lift the stay, if the circumstances change such that it is appropriate for this case to proceed.

SO ORDERED, this 12th day of October, 2021.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA